

**DISTRICT ADVISORY BOARD (DAB) I
MEETING MINUTES**

Monday, January 3, 2005

7:00 p.m.

Atwater Community Center, 2755 E. 19th, Wichita, Kansas 67214

Members Present

Vice Mayor Carl Brewer
Gerald Domitrovic
Treatha Brown-Foster
Lori Lawrence
Debra K. Miller
Debby Moore
Steve Roberts
James Thompson
Lois Tully-Gerber
LaVonta Williams

Members Absent

Sharon Myers*

Guests

Dorothy Nave, 1802 Looman
Carl Ligon, 1736 NE Parkway
Beverly Domitrovic, Schweiter NA
Hayley, Domitrovic, Schweiter NA
Oletha Foust Goudeau, 2641 E. 8th
Robert Smith, 542 N. Indiana
Sherri Smith, 542 N. Indiana
Gene Rath, MKEC Engineering
Jay Angelmyer, MKEC Engineering
David Yearout, Baughman Co., PA
Dale Carter, 1811 N. Hillside
Curtis L. Malini, 542 Indiana
John Stevens, 3125 E. Boston

***Alternates**

City of Wichita Staff Present

Virdena Gilkey, Neighborhood Assistant
Jess McNeely, MAPD
Bill Longnecker, MAPD
Paul Gunzelman, Engineering
Lenny Rose, WPD

Order of Business

Call to Order

Vice Mayor Brewer called the meeting to order at 7:05 p.m. and welcomed the guests with a Happy New Year. Mr. Brewer asked that those who wished to address the board would please state their name and address and keep their remarks limited to five minutes. He then asked if anyone wished to be added to the Public Agenda other than Oletha Foust Goudeau. No one came forth.

Approval of Minutes

Brewer (Brown Foster) made a motion to approve the December 13, 2004 minutes as submitted. Motion carried (9-0).

Approval of Agenda

Brewer added **Oletha Foust Goudeau** to the Public Agenda. **Brewer (Roberts)** made a motion to approve the agenda as amended. Motion carried (9-0).

Public Agenda

1. Piatt Street Memorial Project

Oletha Foust Goudeau greeted the board and gave a brief history on the actual plane crash. She stated that on January 16th, it would be the 40th anniversary of the 137th Tanker plane crash. Ms. Foust Goudeau then thanked Vice Mayor Brewer for his assistance on getting the park renamed to Piatt Memorial Park.

Ms. Goudeau then explained that they are partnering with Greenway Alliance, which is a 501(c)3 organization. The objective is to raise \$30,000 to \$40,000 to erect the monument. There was an article published in the Wichita Eagle concerning the project that has yielded support from out of state contributors. Also, Ron Thornburg, Secretary of State, has given permission to have a resolution read in Topeka in respect to the monument. This is scheduled to take place in February 2005. She stated that it is the committees desire to unveil the monument at the 41st Anniversary of the plane crash in 2006.

Dr. Carla Lee, Newman University, spoke on behalf of the project. She stated that she offered to assist with this development, as she is interested in community service projects. Dr. Lee explained that she began as a nurse practitioner, worked with the Black Nurses Association, served on the Guadalupe Clinic Advisory Board, had dedicated 25 years to the American Red Cross, and worked with those who crashed at Wichita State University. She stated that it is her hopes to commemorate the responders (fire fighters, nurses, doctors, etc.) and to honor the military and civilians who died in that disaster. The idea is to bring the monument to the site where the event took place. A proclamation will be presented at the City Council on January 14, 2005.

Williams thanked them for doing this project. She said that she has a brother who survived the crashed, so she is well aware of the importance of what they are trying to accomplish. Williams stated that she would like to see Power Neighborhood Association involved in the project as this is in their neighborhood. **Tully-Gerber** stated that the military has monument on base. She asked if they are interested in putting money in this and who would own it? *Dr. Lee responded that they would have to see. They are hoping that the military would attend the dedication ceremony. Representative Foust Goudeau added that Senator Sam Brownback is interested in the project, but they have been playing phone tag. Vice Mayor Brewer commented that the Park Department owns the land and will remain the owners. However, it would be the citizen's responsibility to maintain the up keep.* **Brown Foster** commented that this is a wonderful project and she hoped that the community was involved, as well as the neighborhoods.

The board received and filed.

2. Off-agenda items

No item submitted.

Staff Reports

3. Police Report

Officer Rhodes, Patrol South, reported the following: a) WPD was actively involved in the Christmas Crusade with KFDI; b) Officer Robinson worked with Operation Holiday at Boeing. They served hospitalized children; c) Sheriff's Benefit Fund held a phone solicitation and delivered over 300 food boxes to needy families; d) the Sports Edition Lounge is a bar that closed about a month ago and they hope to keep it closed, because it is less than 50 feet away from a Juvenile Intake Facility; and e) the groundbreaking on the Waterwalk will occur next week.

(Officer Rhode's response is in italics)

Lawrence asked how was the New Year's Eve in terms of gunfire? *I have not heard an official report. However, there were much less DUI's this year.* **Brewer** asked Officer Rhodes to obtain those numbers from Deputy Chief Stolz so that he could give the report at the next District 1 Coalition Breakfast.

Roberts (Lawrence) made a motion to receive and file. Motion carried 9-0.

4. Improvement to the Intersection of 17th and Hillside

Paul Gunzelman, Traffic Engineering, explained that on May 2004 the City Council authorized the design of the intersection of 17th and Hillside. The project would provide left turn lanes at all four approaches to the intersection as well as improved drainage. The estimated project cost is \$1,600,000 with \$550,000 paid by the City and \$1,050,000 by Federal Grants administered by the Kansas Department of Transportation. The funding source for the City share is General Obligation Bonds.

Gene Rath, MKEC Engineering Consultant, stated that there are two options: 1) a four-lane approach including a left turn lane; and 2) a five-lane approach with a left turn lane included. Both would widen Hillside to the west, which would affect McDonald's significantly. If the street was widened to the east, Wichita State University owns that property and the City would have to acquire part of their right of way.

Mr. Rath further explained that drainage was another issue that has been included in the design. The budget for drainage is approximately \$900,000, but has been estimated to cost approximately \$2.4 million dollars.

(Mr. Rath's responses are in italics)

Williams asked how do the other residents along Hillside feel? *West of Hillside, there is more than enough right-of-way to widen the street without directly affecting the residents. The fraternity has not responded.* **Brown Foster** commented that there is a significant drainage problem that has caused the water to run down 17th Street to Grove. *That is a good point. The plan is to use 8" diameter pipes that would be tripled in this area. This should more than take care of future drainage problems.* **Miller** said that on the west side of Hillside there are currently no barriers or barricades to separate the neighborhood. She asked if barriers were in the design. *We are not planning on anything of this nature. The plan is to acquire enough sidewalk space to be able to separate the neighborhood and the improvements.* **Domitrovic** inquired about the four-lane option

versus the five-lane option. He stated that the five-lane option might be the preferable choice due to the insignificant cost difference. *The five-lane option would drive the project up to the door of Lutheran Social Services.*

Dale Carter, McDonald's, 1811 North Hillside, remarked that McDonald's has been in the neighborhood for over 40 years and is restaurant #751. Seven years ago, he purchased the franchise and he invested \$1.0 million dollars for renovations. If this project takes place, he would lose 12 out of 40 parking stalls, which is not cost prohibitive for his business. He recommended an alternative, which is to take the property to the east, which is the site of Dr. Begg's residence, the President of Wichita State University. Mr. Carter added that the loss of trees and landscaping is a lesser loss and that WSU has very little to lose. The City of Wichita has offered no alternatives for him and has spoken with the representatives of McDonald's, as they own the land.

Mr. Carter added that the drainage could be accomplished without doing anything to the intersection. *That is correct.*

Jay Anglemeyer, MKEC Engineering, responded that the 5th lane is above McDonald's and the turn lane could be shortened some. However, if it were too short, constructing the lane would be insignificant. If the street were widened on the east, we would get into major building structures, which is not a good situation.

Much discussion took place on the four-lane versus the five-lane option. DAB members **Williams and Brown Foster** were concerned with this project's impact to an existing business that has been a good partner in the community.

Mr. Rath commented that he agreed with Mr. Carter about the significant impact to his business, however, the City has to appraise his property and give them the fair market price to accommodate the street widening. With this accommodation, he may be able to purchase additional property from his neighbors to the north, which is where the fraternity uses the volleyball sand pit.

Paul Gunzelman, Traffic Engineering, explained that with federal funds, the project has to be approved prior to receiving the dollars. The field checks funds are approved by KDOT, but the City Council needs to approve the project. **Gene Rath, MKEC Engineering**, added that the City Council could approve the project with the design partially done. Once permission is granted to do the project, the City is given permission to purchase the right of way. It is a catch 22, because the project must be approved first.

Vice Mayor Brewer closed the discussion and instructed the board of their options: 1) reject the project; 2) select one of the two options; or 3) request that staff go back and review this project again.

Domitrovic (Moore) made a motion to recommend the five-lane proposal option with a note of the negative affect on the adjacent business owners. Motion failed 3-5 (**Brown Foster, Roberts, Miller, Lawrence, and Williams**).

Substitute motion: Miller (Brown Foster) made a motion that neither option be considered at this time due to the negative impact on the adjacent business considering there are no other options at this time. Motion carried 5-3 (**Domitrovic, Moore, and Tully-Gerber opposed**).

5. CON2004-00042

Jess McNeely, MAPD, explained that the applicant is requesting a Conditional Use in an area that is currently zoned "LI" Limited Industrial", "GC" General Commercial, due to the nightclub being located within 200 feet of a residential area with a request for unlimited liquor sales. He stated that the agent requested that the MAPC hearing, which was scheduled for December 23rd, be deferred until January 27, 2005. Mr. McNeely added that a significant number of people spoke in opposition of this request prior to the deferment.

The board was concerned with the following: 1) the location of the nightclub; 2) the current business operations at the location; 3) the history of use of the building; and 4) whether or not a neighborhood association had been organized in the area.

Mr. McNeely explained the area to the north is vacant property and single-family residences, to the south is vehicle sales lot and a restaurant, to the east is vehicle sales and office, and to the west is a mixture of single-family residences, retail, and vehicle sales. Further that the current business operation is a restaurant and a dance hall with no liquor license. In the past, this establishment housed a nightclub. He added that to his knowledge; no neighborhood association is in the area.

Two citizens spoke in opposition of the request. **Linda Marlow, Immanuel House Christian Center, 542 North Indiana**, spoke on behalf of the church and stated that they are in opposition to allowing liquor sales. Mrs. Marlow explained that they own the lot directly behind the business, and plan to open a daycare or senior center within in the next two years and do not want this type of business in the neighborhood. Also, an Alcoholic Anonymous meeting place is within two blocks of the proposed nightclub, which would be in direct conflict with their recovery. **Om Johan, property owner**, stated that he owns five single-family residents in the area and has made significant investments to remodel homes. He represents the entire block on Cleveland and opposes the request of a liquor establishment, especially when there is already such an establishment in the area. Mr. Johan asked for a unanimous denial from all DAB members.

Roberts (Brown Foster) made a motion to recommend denial of the request. Motion passed 9-0.

6. ZON2004-00065

Bill Longnecker, MAPD, explained that the applicant is requesting a zone change to "B" Multi-family Residential and "GC" General Commercial to "LC" Limited Commercial. The area is located between Hillside Avenue and Lorraine Street, approximately 305 feet south of Central Avenue. The current site is a one-story medical office facility with a

parking lot, which will be redeveloped as a restaurant with a drive up window. He stated that staff has requested that access be kept on to Hillside with no access on Lorraine.

The board was concerned with the following: 1) if this is an extension of Spangles; 2) the lack of surrounding space for such an establishment with a drive thru; 3) location of the trash receptacles; 4) timeline for the project; and 5) the timeline for the business to be viable.

Mr. Longnecker explained that the property self extends from Hillside to Lorraine. The owners have purchased the properties abutting the property on the west side. There is a zoning requirement that trash dumpsters be screened with swinging doors. The timeline for the investors depends on the zoning. Investors will not purchase property without an established usage. Activity that is approved under zoning would go with the property. Mr. Longnecker reported that the proposed restaurant would be a Taco Buenos. **Dave Yearout, Baughman Company**, explained that the existing building would be raised for the drive thru. The new building won't be physically as large and the traffic would come out on Hillside. He stated that he concurred with the staff recommendations listed in the PO #150 and that there would be a MAPC meeting on January 13, 2005 for any opposition to be voiced.

Domitrovic (Tully-Gerber) made a motion to recommend approval of the request. Motion passed 9-0.

Unfinished Business

No items submitted

New Business

No items submitted

Board Agenda

7. Updates, Issues, and Reports

- **Vice Mayor Brewer** announced the next District 1 Coalition Breakfast on Saturday, February 7, 2005.
- **Brown Foster** announced the Martin Luther King Celebration New Awards Program, Wichita Boathouse. Also, that Janet Lloyd-Williams, INTRUST Bank Bloom Grant, lost her husband.

The board received and filed.

With no further business, **Roberts (Tully-Gerber)** made a motion to adjourn. Motion carried 9-0. The meeting adjourned at 9:29 p.m.

Respectfully Submitted,

Virdena Gilkey
Neighborhood Assistant